

DISTRICT 11 PRO BONO REPORT AND PLAN 2000

A. Abstract

Please summarize the current status of your Committee's planning process. Your summary should include the District Committee's mission statement, a history of the organization, a description of the current legal services delivery system, as well as identification, categorization and prioritization of the legal problems experienced by indigent individuals within the counties of your District. Please include additional information you deem to be relevant to a complete description of the current status of your Committee.

I MISSION STATEMENT

To assure low and middle-income civil litigants access to the court by increasing private attorney involvement, making pro-se forms understandable and available, and offering educational material and instruction.

II OBJECTIVES

1. Provide civil legal assistance to persons of limited means.
2. Provide opportunity for attorneys to discharge their duty.
3. Promote and recognize pro bono service.
4. Create the culture of pro bono service within the district.

III EXECUTIVE SUMMARY

The District Committee responsible for the development of the plan formed in September, 1999 and it has continued to meet through June, 2000. The committee has studied the need for increasing pro bono service throughout the district and the implementation of such services. This initial plan provides a solid starting point for lowering the barrier to the courts for both the poor and individuals of limited means.

With the assistance of Bartholomew County Legal Aid, Inc. (BALA), four members of the District Committee attended the 2000 Equal Justice Conference sponsored by the ABA and the National Legal Aid and Defender Association. This conference provided not only practical guidance but perhaps more importantly an opportunity to learn of creative solutions beyond case representation.

Three organizations currently provide civil legal assistance to low income people in District 11: BALA, Legal Services Organization of Indiana, Inc. (LSOI), and the Indiana University School of Law – Bloomington Civil Legal Clinic (IU Clinic). BALA, based in Columbus, has one part time staff attorney and has effectively recruited pro bono attorneys to provide legal representation and advice to clients. LSOI's office in Bloomington also provides legal assistance to low income people in District 11. LSOI relies primarily upon staff attorneys to represent clients and give legal advice, but also has a pro bono panel to whom it refers appropriate cases. LSOI primarily provides legal assistance in the following areas: housing (both private and subsidized), family law cases where there is domestic violence, consumer law and public benefits cases. Finally, the IU Clinic provides legal assistance to persons in District 11 in civil matters, including domestic and protective orders.

Both BALA and LSOI operate under restrictions imposed by the Indiana Civil Legal Aid Fund statute, and all three of these organizations have limited resources. Therefore, although these organizations work to address the legal needs of low income people in District 11, the legal needs of most low income people are still unmet.

The plan utilizes the resources within the District – the existence of two successful providers, BALA and LSOI, and the availability of 180 attorneys who are members of bar associations within the district. The 1995 U.S. Census Bureau indicates that there are approximately 14,429 families living in poverty within the District. Although, the District Committee could not ascertain the number of potential legal problems within these families, the Committee did quantify that 1,525 qualified applicants within the District received either legal representation or legal advice in 1999 from BALA and LSOI. Of the available attorney pool, 66 attorneys currently accepted pro bono referrals from BALA and LSOI. Through active recruitment, BALA has achieved close to a 90% participation rate with Bartholomew County attorneys. It is anticipated that with more active recruitment efforts in the remaining counties, similar results will be achieved. With greater participation in pro bono referrals, a more timely response can be provided and an expansion in the type of cases accepted.

Although the available attorney pool is certainly a recognized resource, it is a limited resource in comparison to the number of anticipated unmet legal needs of the poor. The District Plan recognizes that even with 100% participation in a minimum number of pro bono referrals, there will remain an unmet need for both qualified individuals and those of limited means. Anecdotal information indicates that there is an unmet need for legal services of moderate-income individuals who would be ineligible under the guidelines for BALA and LSOI. A 1999 study conducted by Volunteers in Medicine in Bartholomew County provides a glimpse of the problems for moderate-income families. A family of four in Bartholomew County, at 60% of the area median income, has a net monthly (expendable) income of \$1,826.25. Monthly expenses for shelter, utilities, food, childcare,

transportation and apparel total \$2,508.70, resulting in a negative cash flow of \$682.45 per month.

To help further address the legal needs of those with limited means, the plan establishes a legal resources station within each county, the development of standard pro se forms and the availability of legal clinics on family law issues and other areas of interest to the public. This expansion of pro se services is another way of lowering the barrier to the courts. It will allow individuals to proceed more confidently on their own in routine civil proceedings and provide information to recognize and minimize future legal problems.

IV PRIORITIZATION OF LEGAL PROBLEMS

The prioritization of legal needs was determined from a review of records maintained by both BALA and LSOI. In the case of BALA, the qualified intake records were reviewed from 1999, which included inquiries from residents throughout the District. The results from BALA are as follows:

Legal Matter	Number of Qualified Inquiries
Dissolution of Marriage	356
Consumer/Finance	190
Custody Matters	120
Child Support Matters	104
Housing	97
Child Visitation Matters	64
Employment	41
Income Maintenance	38
Guardianship	37
Paternity	31
Adoption	13
Health/Medicaid	12
Juvenile	10

In January, 2000, LSOI-Bloomington tracked incoming calls from its entire service area (12 counties, including all of District 11) for 17 days in an effort to gauge the low-income community's legal needs. The results are as follows:

Legal Matter	Total Calls
Family	146
Consumer	25
Health	18
Benefits	16
Housing	11
Employment	7

B. DATA

1. In the following space, please list the following information about the Committee members: name, organization affiliation (if any), address, phone, fax and E-mail address. Please include what category listed in rule 6.5 (f) (1) this person is representing. Please indicate if members represent more than one organization or category.

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Community-at-Large

2. Governance – Briefly describe the organizational structure of your District, including replacement and succession of members and terms of service.

District 11 shall be governed by a pro bono committee, comprised of the following members:

- A. A Judge within the District, appointed on an annual basis by the Judges of the District
- B. A minimum of one representative appointed by each of the following County Bar Associations on an annual basis:
 - Brown Bartholomew
 - Decatur Jackson
 - Jennings
- C. A minimum of one representative from each of the following appointed on an annual basis:
 - LSOI, as appointed by LSOI
 - BALA, as appointed by BALA Board of Directors
 - CASA of South Central Indiana, as appointed by CASA Board of Directors
- D. Community-at-large representative, appointed by District Committee
- E. Recipient of pro bono services, appointed by District Committee

Committee members may serve more than one annual term.

3. History/Background – Please list all counties in the District, any pro bono organizing activity or efforts at coordination that existed prior to the

formation of the Rule 6.5 Committee.

The counties within District 11 are Bartholomew, Brown, Decatur, Jackson and Jennings.

Although attorneys within the District have been providing pro bono services, in most of the counties it has occurred in a rather informal manner. With the exception of Bartholomew County, attorneys do pro bono work on an informal basis, often upon the request of the judge or LSOI. Within Bartholomew County, the local bar association aided in the formation of BALA in 1982. Both BALA, LSOI and IU School of Law Legal Clinic have provided formal pro bono services within the District. Existing Service Program Worksheets have been completed for both BALA and LSOI and can be found under Section C 1999 Pro Bono Report, included herein.

The IU School of Law Legal Clinic provides legal assistance to persons within the District in civil matters, including domestic and protective orders. The program is designed to be a teaching vehicle for law students and does not utilize volunteer attorneys.

- 4. Plan Administrator – Rule 6.5 (g) (2) requires each Committee to select and employ a plan administrator to provide the necessary coordination and administrative support for the District Pro Bono Committee. Please indicate the name of the person, the duties of the plan administrator, if that position is funded and if so, the source of those funds.**

Name: TBA

Duties: Assist with development of needs assessment within the District

Evaluate needs assessment

Oversee and coordinate services in each county

Oversee preparation of and reporting of annual plan

Oversee distribution of IOLTA funds

Attorney recruitment, public speaking and networking with existing service providers within each county

Organize pro se stations within each county

Secure funding for position

Reports to: District Committee

Funding: TBA but may include IOLTA funds and other available grants. The District Committee does intend to apply for a mini-grant through the ABA Center for Pro Bono. The grant is designed to support the delivery of pro bono legal services to persons living in rural areas.

- 5. Monitoring Role – Briefly describe how the District Committee will evaluate and record the progress and success of the District Plan**

- (a) Quality of services provided:** The Plan Administrator will evaluate and record the progress and success of the District Plan with the assistance of the District Committee. This will include client and pro bono attorney satisfaction surveys.

(b) Quantity:

- i. number of attorneys participating** – The District shall record and report attorney participation in pro bono panels, legal clinics conducted by the District, pro se consultations as referred by the District, the development of pro se court forms and instructions, and assisting in the application and intake process at BALA or LSOI.
- ii. Number of clients served** – The District shall maintain records of clients assigned to legal representation, attendance of clients at legal clinics, attendance of clients at pro se consultations, and recording the number of pro se forms distributed.
- iii. number of hours** – The District shall record and report the in-kind donations from attorneys and community volunteers.

(c) Costs associated with achieving goals – The District shall maintain detailed records regarding real and in-kind costs associated with programs from each county.

(d) How will you collect and record client stories – Stories will be gathered annually from each county by the Plan Administrator. These stories will be highlighted at an annual appreciation event.

C. 1999 Annual Report: Existing Services, Programs, and Funding Sources – Please provide a detailed description of existing service providers, programs and funding sources currently in existence within your District on a county by county basis. Please utilize the worksheet on the following page for each entity.

EXISTING SERVICE PROGRAM

Service/Program Name: Lawyer Referral Program
Mailing Address: 1971 State Street, Columbus, IN 47201
Phone: (812) 372-8933/private 378-0358/public
Contact Person: Sally A. Darnell
Sponsoring Agency: Bartholomew Area Legal Aid, Inc.
Agency Director: Sally A. Darnell

Service/Program Information

Target Population: Indigent
Eligibility Requirements: Poverty income with civil domestic issues
Estimate # of person served or impacted: 229 in 1999
Service Area: Bartholomew County issues
Type of Service/Program
Estimate of Expense per year: \$44,050 in 2000

Funding Source(s): United Way, Cummins Engine Foundation, Irwin-Sweeney-Miller Foundation, Bartholomew County Bar Association, Heritage Fund, IEJF, CLAF, ICJI, IDC, individual donors

Service Program Description:

The lawyer referral program links income eligible clients to a panel of 45 pro bono attorneys at no cost for legal representation in civil matters where no attorney is provided by the courts. Each application is summarized by the client counseling program director. Semi-retired attorney, John Pushor, volunteers his time each week to match clients with attorneys, completing the referral process. Our goal is to obtain resources for a lawyer referral program director who will not only handle cases in-house but will be responsible for the referral to our pro bono panel. This program director will also oversee a divorce mediation project.

How does this organization participate in the coordination of services and what role do they play in the development of the plan?

Bartholomew Area Legal Aid, Inc. was formed by the Bartholomew County Bar Association in 1982 to ensure that low-income citizens were not denied access to the judicial system because of their poverty. Office space is provided free of charge by the Bartholomew County Commissioners. Two and one-half paid employees and ten community volunteers provide the administration necessary for implementation and success of the programs. Each attorney submits data with regard to hours of service performed on behalf of each referral. Each case is tracked and recorded for reporting purposes.

Our goal is to become the central intake for the surrounding counties within District 11 where cases can be referred and data gathered and disseminated. We hope to expand our lawyer referral program to assist applicants from the surrounding counties who request our help. With additional pro bono panels from those counties, we could successfully expand our programming.

EXISTING SERVICE PROGRAM

Service/Program Name: Client Counseling Program

Mailing Address: 1971 State Street, Columbus, IN 47201

Phone: (812) 372-8933/private 378-0358/public

Contact person: Attorney, Tammara Jo Sparks Title: Program Director

Sponsoring Agency: Bartholomew Area Legal Aid, Inc.

Agency Director: Sally A. Darnell

Service Program/Information

Target Population: Indigent

Eligibility Requirements: Poverty with civil domestic issues

Estimate # of persons served or impacted: 1227 in 1999

Service Area: Bartholomew County issues

Type of Service/Program

Estimate of Expense per year: \$63,575 for 2000

Funding Source(s): United Way, Cummins Engine Foundation, Irwin-Sweeney-Miller Foundation, Bartholomew County Bar Association, Heritage Fund, IEJF, CLAF, ICJI, IDC, individual donors

Service/Program Description

The client counseling, or legal advocacy program provides the mechanism necessary for connecting applicants with appropriate services. This program provides personal and confidential civil legal education, crisis counseling and advocacy, intervention and referral to other agencies. These services are provided to poverty level individuals who often do not have the education, knowledge or the skills to help themselves in these areas. Their issues largely parallel issues in society such as family, health, housing and consumer. Issues such as public benefits are endemic to the population that we serve. Of those who qualify for our services, a majority of the issues involve families with children. The Program Director, who is an attorney, provides educational instruction in pro se filings in court and provides skills that help clients navigate through a civil legal system, which is complex and user-unfriendly. We ensure that basic civil and legal rights of the poor and uneducated are not trampled merely because of their station in life.

How does this organization participate in the coordination of services and what role do they play in the development of the plan?

Bartholomew Area Legal Aid, Inc. was formed by the Bartholomew County Bar Association in 1982 to replace the loss of the Columbus LSO office. The other counties in District 11 were asked to join in the pro bono program. All but Brown County declined. The Agency has been successful for 17 years in addressing the legal needs of the indigent residents of Bartholomew County. The Client Counseling Program Director, who is an attorney, gives legal advice to more than 1,000 persons each year. This program provides the screening and referral necessary for the Lawyer Referral Program. The organization provides a very cost-effective means of providing high quality services. The organization provides administrative support necessary for screening applicants, following-up, data gathering and disseminating to appropriate sources. The Agency provides a holistic approach to applicant's issues. The Agency is presently engaged in a domestic violence project with Turning Point Regional Domestic Violence Shelter located in Columbus.

Our goal is to provide the screening necessary for applicants in the surrounding counties within District 11 for possible referrals to panels of attorneys within those counties.

EXISTING SERVICE PROGRAM

Service/Program Name: Legal Services Organization of Indiana, Inc. - Bloomington
Mailing Address: 242 W. 7th Street, Bloomington, IN 47404
Phone: (812) 339-7668
Service/Program Information

1. Who do we represent?
 - a. Low income clients with civil legal problems
 - b. Must meet our financial eligibility rules
 - i. Gross income less than 125% of FPL
 - (1) Under \$869.83/month for 1 person
 - (2) Under \$1,776.08/month for HH of 4
 - ii. We can represent people with slightly higher income if deductions (child support, medical expenses, etc.) bring them below the above figures.
 - iii. We also look at available assets
 - c. 12 county service area, including all counties covered by District 11
2. Our funding (for LSOI's 59 county program w/5 offices: Majority from LSC, United Way (but not in area covered by Bloomington office), Equal Justice Fund Attorney Campaign, State's Civil Legal Aid Fund, Title III (Older Americans Act), NAPIL (National Association for Public Interest Law)
3. Main kinds of cases we handle (based on priorities adopted by our Board of Directors); the following is not an exclusive list:
 - Housing – including evictions, lock outs, loss of federal subsidies, foreclosures, contract sales, access to housing, substandard conditions
 - Income Maintenance – Food Stamps, certain SSI and SS issues, unemployment benefits, Poor Relief, TANF/AFDC
 - Medicaid
 - Family – divorce or custody with domestic violence or child abuse, guardianship defense or termination, some CHINS
 - Consumer – utility shut off, repossessions, collections, proceedings supplemental
 - Employment related – hardship driver's license, FMLA
 - School expulsions, special education
4. Intake process – present
 - a. Prospective clients call in on Monday & Wednesday AM
 - b. Screen out types of cases we definitely don't handle – personal injury, criminal, SSD denial before ALJ hearing stage
 - c. Check conflicts
 - d. Paralegal or trained law student calls each prospective client and does detailed interview concerning financial eligibility and information about legal problem
 - e. Tuesday and Thursday AM – 1 or more attorneys determine what to do for prospective client
 - i. Assign to staff attorney or paralegal for advice, further investigation, or representation
 - ii. Give to pro bono coordinator to find pro bono attorney

- iii. Reject – generally due to financial ineligibility, conflict of interest or lack of program resources
- 5. Intake process – future
 - a. Possible hotline to give more advice than we now can
 - b. Centralized intake – to provide intake services capable of screening more prospective clients
to provide intake services to offices beyond Bloomington LSOI
 - d. We have hired an attorney who is responsible for developing greater pro bono recruitment
- 6. Pro Bono referrals
 - a. The number of private attorneys within District 11 currently listed as accepting pro bono referrals from LSOI:

Bartholomew: 6	Brown: 2
Decatur: 5	Jackson: 7
Jennings: 4	

These numbers do not necessarily reflect interest or availability
 - b. Procedure
 - i. Determine case should be referred
 - ii. Office manager/intake coordinator calls attorneys seeking volunteer
 - (1) Attorney tells us how many cases/year and what type
 - (2) If attorney will accept, case is sent there
 - (3) Our malpractice insurance covers pro bono attorney for referred case
 - c. Vast majority are domestic cases
 - d. We have “low profile” pro bono recruitment. – we contact new attorneys in community as we learn about them, explain our program, and invite them to participate
- 7. Statistics for 1998 as to cases closed where there was either active representation, brief service or advice given.
 - a. Bartholomew – 196 by LSOI, 2 by contract, 0 by pro bono
 - b. Brown – 37 by LSOI, 1 by contract, 0 by pro bono
 - c. Decatur – 61 by LSOI, 1 by contract, 1 by pro bono
 - d. Jackson – 117 by LSOI, 4 by contract, 3 by pro bono
 - e. Jennings – 69 by LSOI, 2 by contract, 0 by pro bono
- 8. Statistics for 1999 as to cases closed where there was either active representation, brief service or advice given. The number of applications rejected after the interview process is shown in parentheses.
 - a. Bartholomew – 122 by LSOI, 0 by pro bono (7 rejected)
 - b. Brown – 34 by LSOI, 1 by pro bono (10 rejected)
 - c. Decatur – 30 by LSOI, 3 by pro bono (13 rejected)

- d. Jackson – 64 by LSOI, 4 by pro bono (38 rejected)
 - e. Jennings – 40 by LSOI, 0 by pro bono (13 rejected)
9. Demand for services – In the 3 week period between January 18, 2000 and February 9, 2000, LSOI-Bloomington took 248 calls asking for legal assistance in the twelve counties we cover. Of those calls, 146 related to family law issues. The next highest category was the 25 calls received as to consumer cases.

Of the 248 calls, applications were taken on 119 of them.

10. Additional services provided

- a. LSOI has developed pamphlets on a wide variety of substantive and procedural issues faced by our client population. These pamphlets are distributed to county courts, county OFCs, shelters and other social service agencies for the general use.
- b. LSOI maintains a website at www.lsoi.org which currently contains:
 - i. a map of the state allowing the user to click on a county to find out what free legal services are available for that county;
 - ii. the information currently produced by LSOI in brochure form on issues regarding domestic violence issues, housing issues, public benefit questions and a large number of other topics
 - iii. the website will eventually contain pro se forms.

EXISTING SERVICE PROGRAM

Service/Program Name: Brown Circuit Court: Assistance for Pro Se Dissolutions where minor children are involved.

Mailing Address: Brown Circuit Court
P.O. Box 85
Nashville, IN 47448

Phone: Brown Circuit Court – (812) 988-7557

Brown County Guardian Ad Litem Program – (812) 597-0276

Contact Person: Judith A. Stewart, Title: Judge, Brown Circuit Court
Donna Niednagel Director, Brown County Guardian Ad Litem Program

Sponsoring Agency: Brown Circuit Court

Service/Program Information

Target Population: Pro se parties in a summary dissolution of marriage with minor children

Eligibility Requirements: None

Estimate # of persons served or impacted: 50 cases a year

Service Area : Residents of Brown County

Service/Program Description: Upon the filing of a pro se dissolution of marriage

action where minor children are involved, the judge orders the parties to participate in a limited meeting with a GAL volunteer. The purpose of the meeting is to provide information about the concept of co-parenting, the standards in awarding custody, the child support guidelines and factors to be considered in visitation arrangements. The GAL reviews any agreements regarding custody and/or visitation to ensure the best interests of the child are reflected. The GAL reports back to the court as to whether any proposed agreements should be approved by the court, whether a summary dissolution should be granted, and/or whether the court should hold a final hearing.

EXISTING SERVICE PROGRAM

Service/Program Name: Turning Point: Assistance for victims of domestic violence in Protective Orders.

Mailing Address: Turning Point Regional Shelter for Victims of Domestic Violence
P.O. Box 103
Columbus, IN 47202

Phone Number: (812) 379-9844

Contact Person: Pat Smith
Lori Fowler

Sponsoring Agency: Turning Point

Service/Program Information

Target Population: Victims of domestic violence who are seeking protective orders from the court.

Eligibility Requirements; none

Estimate # of person served or impacted: Will be determined by agency

Service Area: Bartholomew, Brown, Decatur, and Jackson Counties

Service/Program Description: Trained staff and volunteers assist in the filing of emergency and permanent protective orders and will accompany the petitioner to court for hearings.

D. 1999/2000 Annual Plan

Problem Statements/Recommendations – For each problem, use one complete worksheet with as many recommendations for solving that problem as necessary. Please number your problems according to priority.

PROBLEM STATEMENTS/ RECOMMENDATIONS WORKSHEET

Problem barrier #1: Lack of financial resources to hire counsel in civil matters

What data supports your statement of the problem?

1. The 1992 United Way study reports that there were approximately 538,000 potential legal problems presented by the poor in Indiana. The existing

statewide pro bono system could only have assisted approximately 10% of those individuals.

2. The percentage of county population in poverty within the District:
Bartholomew: 4,959 (7.2%)
Brown: 1,171 (7.5%)
Decatur: 1,972 (7.8%)
Jackson: 3,687 (9%)
Jennings 2,640 (9.9%)
(U.S. Census Bureau, 1995)
3. Data from BALA. for services provided to Bartholomew County residents provides a realistic measure of similar legal needs within the District:
In 1999, 229 persons were represented through the lawyer referral program.
In 1999, 1,227 persons applied for assistance and received legal advocacy and/or referral through the client counseling program.
4. In 1999, LSOI provided either active representation, brief service or legal advice within the District as follows: Bartholomew County – 122 cases
Brown County – 35 cases
Decatur County – 33 cases
Jackson County – 68 cases
Jennings County – 40 cases

What activities will the attorneys in your District take to address this barrier or problem? For each checked activity, please provide a detailed description of your district's plan for implementing this activity.

- A. Intake – The initial screening and referral of applicants shall continue much like it currently exists. The Bloomington office of LSOI already covers all of the counties in District 11. LSOI has an established toll-free number, which is already widely distributed, known to all of the agencies in those counties and included in many of the denial notices people receive from various agencies.

BALA also has an established office covering Bartholomew County, which has effectively screened applicants and made referrals to pro bono attorneys in that county and to LSOI, as needed.

Initial screening and referral shall continue with BALA generally handling the applicants living in or for legal problems located in Bartholomew County. LSOI shall continue to be responsible for the initial intake and screening for the remaining counties in the District. When appropriate, LSOI or BALA shall refer applications to the other agency when, after a phone call to the other agency, it is apparent that the application would be better handled by the other agency.

- B. Pro bono referrals – Pro bono referrals shall continue to be made in the same manner as currently exists. BALA shall refer cases as able to pro bono attorneys in Bartholomew County. LSOI shall refer cases as able to pro bono attorneys in the other four counties.

- C. Recruitment of private attorneys – The committee shall send a survey, included within the appendix, to each private attorney within the district and shall meet with each bar association and judge in the district to determine willingness to handle cases referred by BALA or LSOI, areas of interest and/or other ideas for increasing access to justice for low-income residents of the district. In addition, all judges and bar associations within the district shall authorize regular and significant district-wide publicity stating support of pro bono and expectations of full participation from the bar.
- D. Specialized panels – Specialized panels shall be formed directly from attorney choice at time of recruitment and such panels shall be encouraged in all recruitment efforts and publicity. In addition, pro bono attorneys shall be provided the opportunity to consult with attorneys who have expertise in areas of law in which the pro bono attorney is providing the legal service. Specialized “co-counsel” panels shall be available to all pro bono attorney volunteers, by their own choice at time of recruitment. Pro bono provider staff shall also serve on such panels.
- E. Malpractice insurance for volunteer pro bono attorneys – The committee shall secure coverage through existing pro bono provider policies in the District. Both BALA and LSOI can provide such coverage for attorneys providing legal services through referrals from those agencies.

PROBLEM STATEMENTS /RECOMMENDATIONS WORKSHEET

Problem Barrier # 2. Lack of financial resources for existing pro bono programs to timely meet the need of all income eligible applicants.

What data supports your statement of the problem?

1. Of the 1,227 applications made to BALA in 1999, 640 were completed by volunteers. Although BALA does accept phone applications Monday through Friday, there are limited hours- M-W-F 10:00 to noon, T-Th 1:00 to 3:00.
2. LSOI currently provides limited hours for applications – Monday and Wednesday mornings.
Due to the limited number of paid staff and the limited number of volunteer attorneys, the agency has had to prioritize the type of cases it will handle.

They include the following: housing, income maintenance, medicaid, family (divorce or custody with domestic violence or child abuse, guardianship defense or termination, CHINS), consumer, employment related, and school related issues.

What activities will the attorneys in your District take to address this barrier or problem? For each checked activity, please provide a detailed description of your District's plan for implementing this activity.

It shall be the goal throughout the District to have available daily intake. As noted in Problem Statement 1, BALA shall be responsible for the intake, screening and referral for all requests for pro bono legal services in Bartholomew County. This agency currently does maintain limited intake hours on each business day. In addition, it maintains a 24 hour voice mail for emergency issues.

For the remaining counties within the District, LSOI shall be responsible for intake, screening and referral. Given its limited intake hours as noted above, active recruitment of trained volunteers, volunteer attorneys and law students will be required. Maintenance of the existing toll-free number shall help ensure an easier intake process for the applicant.

However, in order for services to be timely, there must be an adequate number of pro bono attorneys for referral. There shall be active recruitment of attorneys as outlined in Problem Statement 1 above.

PROBLEM STATEMENTS/RECOMMENDATIONS WORKSHEET

Problem Barrier #3. Lack of knowledge about legal system and procedures.

What data supports your statement of the problem?

1. Both BALA and LSOI report the need for providing legal advice to the public. In addition to lawyer referral, both BALA and LSOI currently provide some form of client counseling, legal advice or brief service on an individual basis. This typically has been provided by paid staff, which is limited in number within both agencies.
2. There is a general belief that a greater number of individuals are attempting to represent themselves in civil proceedings. This belief is confirmed by the 1991-92 United Way/Community Service Council of Central Indiana statewide study of civil legal needs of the poor. Of the approximate 538,000 potential legal problems presented by the poor, less than 10% could be addressed under the existing pro bono system. From that study UW/CSC recommended that state and local bar associations explore alternatives to traditional legal assistance staffed programs. In particular, the study suggested the use of pro se workshops as a means of meeting some of the overwhelming need. From a practical standpoint, delay often results with pro se litigants due to their lack of knowledge about procedural requirements.

What activities will the attorneys in your District take to address this barrier or problem?

Each bar association within the District shall be responsible for scheduling regular presentations for the public on family law issues and other areas of interest to the client population. Examples of topics, which might be presented, are: How to file and finalize a simple divorce

How to prepare a child support worksheet

How to file to enforce a divorce decree

How to modify a divorce decree

Individual citizens may also request a 30 minute consultation with an attorney within their county. A consultation request form shall be available within the resource room in each county (see Problem Statement #4). There shall be a nominal fee of \$25.00 paid for the consultation and the revenue from these fees shall be applied to District pro bono activities as approved by the District Committee.

The expected outcome from the legal clinics is to provide education for those individuals who intend to represent themselves in routine civil proceedings and enable them to proceed confidently on their own. In addition, with education and information, it is anticipated that citizens will recognize and avoid future legal problems.

PROBLEM STATEMENTS RECOMMENDATIONS WORKSHEET

Problem Barrier #4: Lack of availability of pro se assistance

What data supports your statement of the problem?

1. The Honorable David H. Coleman of Hendricks County Superior Court No. 2 undertook a study of Indiana trial court judges to determine the current state of pro se efforts in Indiana. From the 166 responses, it was generally agreed that the number of pro se litigation is increasing, that these litigants tend to be poorly prepared and ignorant of the law, and that resources for pro se litigants would be helpful.
2. Marion County (Indianapolis) Superior Court recently studied 500 domestic relation cases in five superior courts. Of the 500 cases surveyed, 75% involved at least one pro se litigant.
3. Indiana's judicial structure further compounds the problem of access for pro se litigants. Each county court system may promulgate its own rules and procedure, which vary from county to county. This variation in court practices results in a lack of uniformity in what few pro se forms and materials are available to litigants. There are no statewide forms available for self-represented litigants.

What activities will the attorneys in your District take to address this barrier or problem? For each checked activity, please provide a detailed description of your district's plan for implementing this activity.

Each county bar association shall be responsible for securing and maintaining a resource room in the county courthouse, a county library or other appropriate place for the display of educational pamphlets, pro se forms, attorney consultation request forms,

and other information directed at improving access to justice for those who cannot afford an attorney. The bar shall also attempt to equip the resource room with a computer with forms accessible on the computer. The computer shall have Internet access so that the users can obtain information from the LSOI website located at www.lsoi.org. Further, the bar shall also attempt to find a volunteer from the community willing to be present at the resource room at designated hours during the week to assist with computer access, referrals, and general information.

Information available within the resource room shall include court information as to locations and hours of operation for all courts within the county, explanation of the different courts, and tips on how to represent yourself in court. Examples of forms and instructions, which might be available, are:

Domestic Relations

Divorce

- Divorce – With Children
- Divorce – Without Children
- Divorce – Temporary Orders
- Divorce – Emergency Temporary Orders

Establishments (To Get The First Order)

- Voluntary Paternity
- Paternity – With Custody, Visitation & Support
- Child Custody, Visitation & Support
- Visitation
- Child Support

Enforcements

- Support
- Custody/Visitation
- Property Division

Modifications

- Custody – By Agreement
- Custody – By Petition
- Custody – Emergency Modification
- Visitation – By Agreement
- Visitation – By Petition
- Child Support
- Wage Assignment

Miscellaneous

- Summons and Complaint Instructions
- Proof of Service Instructions
- Default Instructions
- Protective Orders

Probate/Mental Health

- Guardianship for Adults – Temporary and Permanent Appointments
- Guardianship for Minors – Temporary and Permanent Appointments

- Guardianship – Petition for Approval of Annual Accounting
- Guardianship for Minors – Release of Restricted Funds
- Informal Probate – Appointment of a Personal Representative
- Informal Probate – Transfer of Property When a Person Died

PROBLEM STATEMENTS RECOMMENDATIONS WORKSHEET

Problem Barrier # 5: Lack of public awareness of existing pro bono programs

What data supports your statement of the problem?

1. From the historical data provided in the abstract, it is evident that past pro bono efforts in the District, excluding Bartholomew County, have been informal. Although LSOI has an established toll-free number which it has distributed and listed throughout the District, there is a belief that a segment of the targeted population may remain unaware of the availability of services.
2. Given the expansion of services contemplated by this plan, an initial public campaign toward public awareness would be of benefit.

What activities will the attorneys in your District take to address this barrier or problem? For each checked activity, please provide a detailed description of your District's plan for implementing this activity.

The District Committee shall prepare sample press releases, which can be utilized by each bar association for announcing the services available under the District plan. The District shall also prepare promotional materials explaining the resource rooms which can be distributed to all government offices and community agencies.

The District shall encourage public speaking, advertising, radio spots and television efforts by each bar to inform the public of services within each county.

PROBLEM STATEMENTS RECOMMENDATIONS WORKSHEET

Problem Barrier #6: Lack of coordinated support system for the low-income person (aspirational goal).

What data supports your statement of the problem?

There is a general recognition that often the poor are experiencing many difficulties and challenges beyond that of a legal nature and often live in a state of crisis.

What activities will the attorneys in your District take to address this barrier or problem? For each checked activity, please provide a detailed description of your District's plan for implementing this activity.

It is an aspirational goal that the District shall partner with other service providers to implement a more holistic approach to helping an individual. This goal can begin to be achieved by the following plan of action:

1. Encourage community agencies to serve as a member on the District Committee
2. The volunteers who operate the resource room shall be trained on existing community resources and literature from these agencies shall be kept within the resource room.
3. Any District attorney training shall include an educational component on local community resources.
4. Local bar associations shall be encouraged to invite community agencies to their meetings and provide time for a brief presentation of services offered.

The expected result shall be that not only will a legal problem be met but that the underlying issues and problems for the individual shall also be addressed. Such a holistic approach shall lead to greater self-esteem, self-sufficiency, and prevention of future problems.

Please describe the way the recommended activities and the supportive activities will be coordinated and what role the District Committee will have in that coordination.

1. Dissemination of Plan - Upon completion of the 1999/2000 plan, the District Committee shall, within 90 days, convene bar association meetings within each county. The purpose of the meetings shall be to educate the bar as to legal access issues, review the District plan, and enlist attorneys to any of the authorized pro bono services.
2. Assessment Tools – The District Committee shall be responsible for the drafting of assessment tools for both attorney and client satisfaction. Exit surveys shall be given to all recipients of services. This client feedback shall not only be reviewed by the Committee but also shared with the bar. The sharing of such information will hopefully provide a meaningful way to illustrate the value of the work performed. In addition, participating attorneys shall be surveyed at the conclusion of each case to record their satisfaction, problems or challenges, suggestions for improving the delivery of services and the hours donated.
3. Recognition – Recognition is intentionally simple. The District Committee, through informal discussions with attorneys, concluded that recognition was neither expected nor a consideration in performing pro bono services. And yet, the Committee shall annually express its thanks for all pro bono efforts by hosting a District-wide recognition luncheon. Attorneys and other volunteers shall be recognized and annual statistics shall be presented as to pro bono accomplishments which shall include the number of individuals assisted, the total hours donated, and the types of legal problems addressed. A judge within the District shall report as to the impact of the pro bono efforts in lowering the barrier to the courts. In addition, it shall be the goal to invite a few clients to share success stories.

4. Training – The District Committee shall oversee the training for volunteers, whether legal or non-legal, for intakes and screenings and management of the pro se stations within each county. Forms will also be developed for the reordering of pro se packets.

Please describe the expected results and the measures which you will utilize to determine the value to the indigent of the proposed activity.

With both BALA and LSOI as having a long history within the District, their past successes are the best indicators of expected results. Both organizations have assisted countless individuals and families. The number of requests from applicants continues to grow each year. The assistance provided has helped to remove the barriers that the indigent face when confronted by the legal system. To measure value, exit surveys shall be completed for all recipients and participating attorneys. Annual statistics shall be gathered for such things as number of clients served, number of actual children served, number of domestic violence cases served, number of abuse cases served, other types of cases served, number of attorneys participating, and total hours donated by attorneys and volunteers.

Please provide your timeline for implementing and evaluating the recommended activities.

The plan administrator shall initially be funded for one year through IOLTA , other grants or funds. The administrator shall be provided free office space with the offices of BALA and shall have use of office equipment. This will ensure that the administrator has an office within the District. However, it shall be expected that a great deal of time shall be spent in the counties for attorney recruitment, public speaking, networking with other agencies serving the indigent, and organizing the pro se stations.

It is expected that pro se stations can be operating within six months. With the assistance of LSOI, some form packets and pamphlets have already been developed. Additional forms will need to be developed and initial presentation and approval from the judges shall be sought at one of Judicial District meetings.

It is also realistic to anticipate that legal clinics can begin to be offered by the January, 2001. It is anticipated that initial clinics shall focus on family law issues.

Please provide a proposed budget for implementing the recommended activities. Please utilize the budget form on the following page.

BUDGET FORM

Cost Category	IOLTA \$	Other \$	Donated	Total
Personnel Costs				
Full-time Administrator	26,000.00			26,000.00
Employee Benefits (included in salary)				
NonPersonnel				
Space			3,500.00 (BALA)	3,500.00

Equipment Rental		500.00 (BALA)	500.00
Office Supplies		250.00 (Bar)	250.00
Telephone	2,000.00		2,000.00
Computer	1,000.00	500.00 (Bar/grant)	1,500.00
Travel		500.00 (Bar)	500.00
Training	500.00	500.00 (Bar)	1,000.00
Malpractice Insurance		3,500.00(BALA)	3,500.00
Professional Dues		400.00 (BALA)	400.00
Postage		500.00 (Bar)	500.00
Printing	300.00	200.00 (bar/grant)	500.00
TOTAL EXPENDITURES	29,800.00	2,450.00	7,900.00
			40,150.00

The District 11 Committee believes that it can secure cash contributions of \$2,450.00 from the bar associations and individual attorneys within the District. In addition, revenue shall be generated for the District for each pro se consultation request (\$25.00 per request).

APPENDICES

Rule 6.5

District 11 map

Survey to attorneys

Article from Res Gestae, May 2000 concerning pro se litigation

Volunteers in Medicine Study re moderate income families

Newspaper articles concerning pro bono efforts in Bartholomew County

